

AO 106 (Rev. 04/10) Application for a Search Warrant

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WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

INFORMATION ASSOCIATED WITH SIX  
FACEBOOK ACCOUNTS

Case No. 3:20-mj-05070

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section  
18 USC § 1073

Offense Description  
Unlawful Flight to Avoid Prosecution

The application is based on these facts:

See Affidavit of FBI Special Agent Terrance G. Postma, attached hereto and incorporated by reference herein.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Terrance G. Postma*  
Applicant's signature

Terrance G. Postma, Special Agent  
Printed name and title

Sworn to before me and signed by electronic means, reliable under Fed. R. Crim. Pro. 41(d).

Date: 03/27/2020

*Theresa L. Fricke*  
Judge's signature

City and state: Tacoma, Washington

Hon. Theresa L. Fricke United States Magistrate Judge  
Printed name and title

**AFFIDAVIT**

STATE OF WASHINGTON )  
 ) ss  
 COUNTY OF PIERCE )

I, Terrance G. Postma, being first duly sworn, hereby depose and state as follows:

**BACKGROUND**

1. I have been employed as a Special Agent of the FBI since June 2002 and am currently assigned to the Seattle Division's Poulsbo Resident Agency. I am responsible for investigations of violent crime, fugitives, and bank robbery. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to search the information described in Attachment A for the purpose of locating and apprehending Santiago Mederos who has a federal arrest warrant issued in the Western District of Washington for a charge of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 (MJ16-5179) arising from his flight from the Western District of Washington to avoid charges of murder, as described below. There is also probable cause to search the information described in Attachment A for evidence in the fugitive investigation, as described in Attachment B.

**PURPOSE OF AFFIDAVIT**

4. I make this affidavit in support of an application for a search warrant for information associated with the following telephone numbers ("Subject Accounts"):

(1) +52-17292852119/+52-7292852119 (Subject Account 1),

- (2) +52-17292826725/+52-7292826725 (Subject Account 2),  
 (3) +52-17226532060/+52-7226532060 (Subject Account 3),  
 (4) +52-17291527179/+52-7291527179 (Subject Account 4),  
 (5) +52-17223157098/+52-7223157098 (Subject Account 5), and  
 (6) +52-17224534131/+52-7224534131 (Subject Account 6).

5. All of the requested information is stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with Subject Accounts.

#### **PRIOR APPLICATION**

6. This is the first application to search information associated with the Subject Accounts.

#### **SUMMARY OF PROBABLE CAUSE**

7. In 2010, Santiago Mederos fled from Tacoma, Washington to Mexico after the murder of Camille Love and Jose Lucas. Santiago Mederos has outstanding warrants for the respective murders, and this Court has charged him for violation of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 on September 30, 2016 under Case No. MJ16-5179.

8. As described below, investigation by law enforcement has led to a Mexican phone number that is associated with a WhatsApp account that posted a picture of Santiago Mederos. That number is also associated with a Facebook account, Facebook user ID 100040501718452. Through “machine cookie overlap” (the relationship between two Facebook accounts that have logged onto the same device), law enforcement has identified other related accounts, each associated with a phone number, which directly relate to the Subject Accounts.



**STATEMENT OF PROBABLE CAUSE**

**A. SANTIAGO MEDEROS AND THE LOVE AND LUCAS MURDERS**

9. On February 7, 2010, Tacoma Police Department (TPD) officers responded to the 5900 block of Portland Avenue regarding a shooting. At the scene, TPD officers and detectives discovered that Camile Love was the shooting victim. Love died from the injuries sustained in the shooting. Based on interviews of witnesses and informants who admitted to participation in the shooting, the TPD detectives concluded that Santiago Mederos was the prime suspect in Love's murder and that the shooting was a result of a gang turf war.

10. On March 25, 2010, a homicide occurred within the city of Tacoma. TPD detectives identified the homicide victim as Jose Saul Lucas and identified the prime suspect in his murder as Santiago Mederos. Based on interviews of two witnesses, TPD detectives concluded that Santiago Mederos, a known member of the Eastside Lokotes Sureños (ELS) gang, and four other ELS gang members went to the residence of a rival gang member, Reynaldo Orozco, to collect money. When they could not find the rival gang member, they broke into and damaged Orozco's car, which was parked at the residence. When three individuals, who lived with Orozco, realized that the ELS gang members were vandalizing Orozco's vehicle, they confronted the gang members and a fight ensued. While attempting to flee the scene, Santiago Mederos and his accomplices fired a single gunshot, which struck and killed one of Orozco's roommates, Jose Saul Lucas.

11. As a result of their initial investigation, TPD detectives obtained an arrest warrant for Santiago Mederos for his involvement in the homicide. Further investigation, to include interviews with witnesses, friends and family members, revealed that Santiago Mederos is aware that he has a warrant for his arrest and has subsequently gone into hiding.



12. Ashley Rios, a friend of Santiago Mederos, stated in an interview with TPD detectives that she travelled to Mexico with Santiago Mederos to his Aunt's residence in Guerrero, Mexico, shortly after the Lucas murder.

13. Efforts to date to locate Santiago Mederos in Mexico have been unsuccessful.

## **B. SUBJECT ACCOUNTS**

14. **Summary of Subject Accounts.** During the course of this investigation, law enforcement located a Mexican telephone number, +52-7341170819, which has been used to contact Mederos family members and has been used for a WhatsApp account with a profile picture of Santiago Mederos. Telephone number +52-7341170819 is associated with a Facebook Account, Facebook user ID 100040501718452. Other information from Facebook generated by warrants and orders of this Court have revealed a network of other accounts that are used by Santiago Mederos or those in close contact with him. The Subject Accounts in this Affidavit are accounts that have been used by that same network of individuals. Thus, there is probable cause to believe that information from each of the Subject Accounts contains evidence about the location of Santiago Mederos.

### **Subject Accounts 1 and 2**

15. As described in more detail below, law enforcement have identified a WhatsApp account that posted a profile picture of Santiago Mederos. That account is associated with a phone number that is also associated with two Facebook accounts, each registered under names with aliases of Santiago Mederos. Every phone device has a unique identifying number, and the phone number at issue was accessed on four separate devices. Subject Accounts 1 and 2 are associated with those particular devices.

16. In the course of this investigation, law enforcement has reviewed telephone records of members of the Mederos family and records of telephone numbers that are in communication with members of the Mederos family. In the course of reviewing those records, law enforcement identified a number, +52-7341170819.

1           17.       An online search of publicly available information indicates that the user  
2 of telephone number +52-7341170819 has a WhatsApp account under the same  
3 telephone number. The WhatsApp account included a public profile picture of an  
4 individual who resembles Santiago Mederos and an unknown adult female and an  
5 unknown juvenile female. Law enforcement has reviewed the WhatsApp profile picture  
6 associated with the telephone number +52-7341170819 and observed that the male  
7 individual in the WhatsApp profile picture has a tattoo on the right side of his neck and  
8 on his right shoulder. These tattoos and the appearance of the individual's face match a  
9 photograph of Santiago Mederos that law enforcement obtained from a prior Facebook  
10 search warrant return in this investigation.

11           18.       Based on review of records returned to investigators by Facebook, Inc.  
12 pursuant to a search warrant issued by this Court, Facebook user ID 100040501718452 is  
13 associated with the telephone number +52-7341170819. The Facebook account ending in  
14 8452 is registered under the username "Antono Mendoza," and prior search warrant  
15 returns indicate that variations of the name "Antonio," like "Antono," are common  
16 aliases for Santiago Mederos.

17           19.       Review of records returned by Facebook, Inc. to investigators pursuant to  
18 a search warrant issued by this Court reveal that telephone number +52-7341170819 is  
19 the telephone number that the user of the Facebook account with the username "Antono  
20 Mendoza" provided to Facebook, Inc. Further, the account holder for the Facebook  
21 account with the username "Antono Mendoza" responded to a text sent to the telephone  
22 number +52-7341170819 on August 10, 2019.

23           20.       Telephone number +52-7291791890 is a phone number associated with  
24 Facebook user ID 100036795438133. Review of records returned by Facebook, Inc. to  
25 investigators pursuant to a search warrant issued by this Court reveal that the username of  
26 the Facebook account ending in 8133 is "Antony Villa." Facebook records returned to  
27 investigators pursuant to an order of this Court revealed that the username for two other  
28 Facebook accounts known to have been previously used by Santiago Mederos are



1 “Anthony Villa” and “Antonio Villa,” which is based on Mederos’s other family name,  
2 Villalba.

3 21. Review of records returned by Facebook, Inc. to investigators pursuant to  
4 a search warrant issued by this Court reveal that the telephone number +52-7291791890  
5 is a phone number that the user of the Facebook account with the username “Antony  
6 Villa” sent to Facebook, Inc. Further, the account holder for the Facebook account with  
7 the username “Antony Villa” responded to a text sent to the telephone number +52-  
8 7291791890.

9 22. Based on review of records returned to investigators by Facebook, Inc.  
10 pursuant to a search warrant issued by this Court, the Facebook account with the  
11 registered username “Antono Mendoza” and the Facebook account with the registered  
12 username “Antony Villa” are linked by machine cookie, which means that two particular  
13 Facebook accounts have been accessed by the same individual machine (e.g., two  
14 Facebook accounts that have been accessed on the same phone). Such a “link” between  
15 two Facebook accounts indicates that the users are the same person or in close proximity  
16 to each other.

17 23. Review of records returned by Google, Inc. to investigators pursuant to a  
18 search warrant issued by this Court reveal that the telephone number +52-7291791890 is  
19 a Sign-in Phone Number, User Phone Number, and Reachable Phone Number for a  
20 Google, Inc. account associated with MEID: 35553509983202 and IMEI:  
21 355535099832020.<sup>1</sup> Subject Account 1 and Subject Account 2 are also Sign-in, User,  
22 and Reachable Phone Numbers associated with MEID: 35553509983202 and IMEI:  
23  
24

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25 <sup>1</sup>Based on training and experience, I know that any particular cellular phone has a unique device number, known as  
26 an International Mobile Equipment Identity (IMEI) or a Mobile Equipment Identifier (MEID). When an IMEI or  
27 MEID is associated with a particular cellular phone number, this ordinarily means that the user of the device placed  
28 the SIM card associated with the particular phone number in that device and used the device for that phone number,  
as by making a call. Google also collects data about what devices are used for any particular Google account. This  
warrant requests information about Google accounts associated with particular devices that were used by phone  
numbers identified in the course of this investigation.



1 355535099832020. This association indicates that the users are the same person or are in  
2 close proximity to each other.

3 24. On March 24, 2020, I verified in the Facebook Law Enforcement Online  
4 Request System that there are active Facebook accounts for each of the phone numbers  
5 identified as Subject Accounts 1 and 2.

6 **Subject Account 3**

7 25. As described in more detail below, search warrant returns show that the  
8 Facebook account belonging to Santiago Mederos, under the alias Antony Villa, sent  
9 romantic messages to accounts registered to Claudia Perez. The communication indicates  
10 that Mederos is in regular communication with Perez. Subject Account 3 is associated  
11 with an email address of Perez.

12 26. Based on review of records returned to investigators by Facebook, Inc.  
13 pursuant to a search warrant issued by this Court, the user of the Facebook account with  
14 the user name "Antony Villa" sent a message to Facebook account 100045392260014  
15 registered with the username "Claudia Perez" on January 27, 2020. The message when  
16 roughly translated says "Rest and sweet dreams, my love. I confess that I'm crazy in love  
17 with you but I recognize that it makes no sense if you don't feel the same. I love you,  
18 baby. See you tomorrow."

19 27. The user of the Facebook account with the username "Antony Villa" also  
20 sent a message to the Facebook account with the username "Claudia Perez" on January  
21 30, 2020. The message when roughly translated says "Hello my love. God willing,  
22 everything will be fine, my queen. Cheer up, baby. I love you all, for real. I want to  
23 apologize to you from the bottom of my heart for how I am with you. I know we barely  
24 talk anymore. As you will say, it's not possible because they are just looking after [us].  
25 Never doubt that I love you and our four babies. You are my whole world. I love you,  
26 you are the most beautiful and perfect thing that God has given me."

27 28. Based on review of records returned to investigators by Facebook, Inc.  
28 pursuant to a search warrant issued by this Court, the same picture posted on December

30, 2019, as a profile picture to the Facebook account with the username “Claudia Perez” was posted as a profile picture to Facebook account 100035321705105, also registered with the username “Claudia Perez,” on April 17, 2019. Another picture posted on February 2, 2020, as a profile picture to the Facebook account with the username “Claudia Perez” ending in 0014 is posted as a profile picture to the Facebook account with the username “Claudia Perez” ending in 5105 on April 16, 2019.

29. Review of Facebook, Inc. records returned to investigators pursuant to a search warrant issued by this Court indicate that email account humitodiaz624@gmail.com is a registered email address associated with the Facebook account with the username “Claudia Perez” ending in 5105. As I know from training and experience, “registering” an email address requires confirmation by the account holder.

30. Review of records returned by Google, Inc. to investigators pursuant to a search warrant issued by this Court reveal that Subject Account 3 is the User Phone Number for a Google, Inc. account that uses the email account humitodiaz624@gmail.com. As described above, such a connection means that the user of the email account, believed to be Claudia Perez, is also the user of the phone number associated with Subject Account 3.

31. On March 24, 2020, I verified in the Facebook Law Enforcement Online Request System that there is an active Facebook account for the phone number identified as Subject Account 3.

#### **Subject Account 4**

32. As described in more detail below, prior search warrant returns have led to another Facebook account believed to belong to Santiago Mederos, but registered under the alias “Antony Beltran.” That account is connected, by machine cookie, with the Facebook accounts registered to Antony Villa described above. The Beltran account has a phone number that is associated to Subject Account 4.

33. Review of Facebook, Inc. records returned to investigators pursuant to a search warrant issued by this Court reveal that the username for the Facebook account



1 100043012699881 is “Antony Beltran.” Prior search warrant returns indicate that  
2 variations of “Antonio,” such as “Antony,” are common aliases for Santiago Mederos.  
3 Just as “Villa” is an alias from Mederos’s maternal family of Villalba, “Beltran” is a  
4 family name from Santiago Mederos’s paternal grandmother, Elena Fresnares Beltran,  
5 with whom, according to a confidential human source, Santiago Mederos has previously  
6 resided with since fleeing to Mexico.

7 34. Review of records returned by Facebook, Inc. to investigators pursuant to  
8 a search warrant issued by this Court reveal that the telephone number +52-7225139648  
9 is the telephone number that the user of the Facebook account with the registered  
10 username “Antony Beltran” provided to Facebook, Inc. Further, the account holder for  
11 the Facebook account with the registered username “Antony Beltran” responded to a text  
12 sent to the telephone number +52-7225139648 on November 7, 2019.

13 35. Based on review of records returned to investigators by Facebook, Inc.  
14 pursuant to a prior order of this Court, the Facebook account with the username “Antony  
15 Villa,” described above, and the Facebook account with the registered username “Antony  
16 Beltran” are linked by machine cookie, which means that these accounts have been  
17 accessed by the same individual machine. Such a “link” between the accounts indicates  
18 that the users are the same person or in close proximity to each other.

19 36. Review of records returned by Google, Inc. to investigators pursuant to a  
20 search warrant issued by this Court reveal that MEID: 35560506995731 and IMEI:  
21 355605069957311, are associated with the telephone number +52-7225139648.

22 37. Based on review of records returned by Google, Inc. to investigators  
23 pursuant to a search warrant issued by this Court Subject Account 4 is the Recovery SMS  
24 number and a Sign-in Phone Number, User Phone Number, and Reachable Phone  
25 Number also linked with MEID: 35560506995731 and IMEI: 355605069957311. Such a  
26 “link” indicates that the users are the same person or are in close proximity to each other.  
27  
28



38. On March 24, 2020, I verified in the Facebook Law Enforcement Online Request System that there is an active Facebook account for the phone number identified as Subject Account 4.

**Subject Accounts 5 and 6**

39. As described in more detail below, law enforcement have identified a Facebook account registered to “Yadiel Garcia,” which investigators believe is being used by Santiago Mederos or Claudia Perez, who is in a relationship with Mederos, as described above.

40. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court, the user of Facebook user ID 100030779393705 with the username “Yadiel Garcia” and the user of Facebook user ID 100034418213234 with the username “Maricarmen Olvera” engaged in a conversation on February 13, 2020. During the conversation, the user of the Facebook account with the username “Yadiel Garcia” ending in 3705 states “You know I love you but you better take care of our baby and never tell her about me, take care of her Claudia.”<sup>2</sup> During the conversation, the user of the Facebook account with the username “Yadiel Garcia” ending in 3705 continues to refer to a baby and how difficult it is to be apart from the baby. The user of the Facebook account with the username “Maricarmen Olvera” ending in 3234 and the user of the Facebook account with the username “Yadiel Garcia” ending in 3705 agree to meet on Sunday in “the garden.”

41. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court, a profile picture posted by the user of the Facebook account with the username “Yadiel Garcia” ending in 3705 on February 12, 2020 is the same photo posted to other Facebook accounts that depict Claudia Perez. The user of the Facebook account with the username “Yadiel Garcia” ending in 3705 posted a

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<sup>2</sup> This conversation was originally sent in Spanish. I am not fluent in Spanish, and so as with the other translated conversations references in this Affidavit, I used a translation service to translate this conversation into English.

1 comment with the profile picture that states, “te amo mi nina y mucho,” which roughly  
2 translated states “I love you a lot my girl.”

3 42. Based on review of records returned to investigators by Facebook, Inc.  
4 pursuant to a search warrant issued by this Court, another picture posted by the user of  
5 the Facebook account with the username “Yadiel Garcia” ending in 3705 on February 12,  
6 2020 depicts an infant girl with the comment “no podre estar con tigo me bb pero siempre  
7 pienso en ti dia adia no che tras noche,” which roughly translated states “I may not be  
8 able to be with you, baby, but I think about you day after day and night after night.”

9 43. Based on review of records returned to investigators by Facebook, Inc.  
10 pursuant to a search warrant issued by this Court, a profile photo posted by the user of the  
11 Facebook account with the username “Yadiel Garcia” ending in 3705 on February 5,  
12 2020 depicts what appears to be the same infant baby girl. The user of the Facebook  
13 account with the username “Yadiel Garcia” ending in 3705 posted a comment with this  
14 profile picture that states “te amo mi bebita preciosa” which roughly translated states “I  
15 love you my precious baby.”

16 44. Based on review of records returned to investigators by Facebook, Inc.  
17 pursuant to a search warrant issued by this Court the user of the Facebook account with  
18 the username “Yadiel Garcia” ending in 3705 provided Subject Account 5 to several  
19 Facebook users in Facebook Messenger chats between August 2019 and October 2019  
20 indicating that it was the telephone number for the user of the Facebook account with the  
21 username “Yadiel Garcia” ending in 3705.

22 45. On March 24, 2020, I verified in the Facebook Law Enforcement Online  
23 Request System that there is an active Facebook account for the phone number identified  
24 as Subject Account 5.

25 46. Based on review of records returned to investigators by Facebook, Inc.  
26 pursuant to a search warrant issued by this Court, Subject Account 6 is the telephone  
27 number for the user of the Facebook account with the username “Yadiel Garcia” ending  
28 in 3705. In a Facebook Messenger chat on November 15, 2019 the user of the Facebook



1 account with the username “Yadiel Garcia” ending in 3705 sends a message to the user of  
 2 the Facebook account with the username “Maricarmen Olvera” ending in 3234 stating  
 3 “7224534131 mira este is mi numero profa marcame para ablar con eya la estrno mucho”  
 4 which translates as, “this is my number, please call me, I miss her a lot.”

5 47. On March 24, 2020 I verified in the Facebook Law Enforcement Online  
 6 Request System that there is an active Facebook account for the phone number identified  
 7 as Subject Account 6.

8 48. Mederos has not self-surrendered or contacted law-enforcement to resolve  
 9 the warrant. Law-enforcement agents have made attempts to locate Mederos without  
 10 success. The information in Facebook’s possession, as specifically described in  
 11 Attachment B, will assist agents in identifying the location of Santiago Mederos.

### 12 **C. FACEBOOK INFORMATION STORAGE**

13 49. I am aware from my experience and training, and consultation with other  
 14 investigators, of the following information about Facebook:

15 50. Facebook owns and operates a free-access social networking website of  
 16 the same name that can be accessed at <http://www.facebook.com>. Facebook allows its  
 17 users to establish accounts with Facebook, and users can then use their accounts to share  
 18 written news, photographs, videos, and other information with other Facebook users, and  
 19 sometimes with the public.

20 51. Facebook asks users to provide basic contact and personal identifying  
 21 information to Facebook, either during the registration process or thereafter. This  
 22 information may include the user’s full name, birth date, gender, contact e-mail  
 23 addresses, Facebook passwords, Facebook security questions and answers (for password  
 24 retrieval), physical address (including city, state, and zip code), telephone numbers,  
 25 screen names, websites, and other personal identifiers. Facebook also assigns a user  
 26 identification number to each account.

27 52. I know from speaking with other law enforcement that “cookies” are  
 28 small files placed by a server (such as those used by Facebook) on a device to track the



1 user and potentially verify a user's authentication status across multiple sites or  
2 webpages. This cookie could be unique to a particular account (e.g., the Facebook  
3 account) or to a given device (e.g., the particular phone used to access the Facebook  
4 account). The next time a user visits a particular site or server, the server will ask for  
5 certain cookies to see if the server has interacted with that user before. Cookies can also  
6 be used to determine "machine cookie overlap," or multiple accounts that have been  
7 accessed by the same individual machine (e.g., two Facebook accounts that have been  
8 accessed on the same phone). The machine cookie overlap thus allows Facebook to track  
9 accounts that are "linked" to each other because the same user account (username on a  
10 computer) on the same device accessed multiple Facebook accounts. This can identify  
11 either multiple Facebook accounts used by the same person or used by different people  
12 sharing the same user account and device. In either case, the machine cookie overlap  
13 means that the users of the linked accounts are the same person or two people in close  
14 proximity to each other.

15 53. Facebook users may join one or more groups or networks to connect and  
16 interact with other users who are members of the same group or network. Facebook  
17 assigns a group identification number to each group. A Facebook user can also connect  
18 directly with individual Facebook users by sending each user a "Friend Request." If the  
19 recipient of a "Friend Request" accepts the request, then the two users will become  
20 "Friends" for purposes of Facebook and can exchange communications or view  
21 information about each other. Each Facebook user's account includes a list of that user's  
22 "Friends" and a "News Feed," which highlights information about the user's "Friends,"  
23 such as profile changes, upcoming events, and birthdays.

24 54. Facebook users can select different levels of privacy for the  
25 communications and information associated with their Facebook accounts. By adjusting  
26 these privacy settings, a Facebook user can make information available only to himself or  
27 herself, to particular Facebook users, or to anyone with access to the Internet, including  
28 people who are not Facebook users. A Facebook user can also create "lists" of Facebook

1 friends to facilitate the application of these privacy settings. Facebook accounts also  
2 include other account settings that users can adjust to control, for example, the types of  
3 notifications they receive from Facebook.

4 55. Facebook users can create profiles that include photographs, lists of  
5 personal interests, and other information. Facebook users can also post “status” updates  
6 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
7 other items available elsewhere on the Internet. Facebook users can also post information  
8 about upcoming “events,” such as social occasions, by listing the event’s time, location,  
9 host, and guest list. In addition, Facebook users can “check in” to particular locations or  
10 add their geographic locations to their Facebook posts, thereby revealing their geographic  
11 locations at particular dates and times. A particular user’s profile page also includes a  
12 “Wall,” which is a space where the user and his or her “Friends” can post messages,  
13 attachments, and links that will typically be visible to anyone who can view the user’s  
14 profile.

15 56. Facebook allows users to upload photos and videos. It also provides users  
16 the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is  
17 tagged in a photo or video, he or she receives a notification of the tag and a link to see the  
18 photo or video. For Facebook’s purposes, the photos and videos associated with a user’s  
19 account will include all photos and videos uploaded by that user that have not been  
20 deleted, as well as all photos and videos uploaded by any user that have that user tagged  
21 in them.

22 57. Facebook users can exchange private messages on Facebook with other  
23 users. These messages, which are similar to e-mail messages, are sent to the recipient’s  
24 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well  
25 as other information. Facebook users can also post comments on the Facebook profiles  
26 of other users or on their own profiles; such comments are typically associated with a  
27 specific posting or item on the profile. In addition, Facebook has a Chat feature that  
28 allows users to send and receive instant messages through Facebook. These chat



1 communications are stored in the chat history for the account. Facebook also has a Video  
2 Calling feature, and although Facebook does not record the calls themselves, it does keep  
3 records of the date of each call.

4 58. If a Facebook user does not want to interact with another user on  
5 Facebook, the first user can “block” the second user from seeing his or her account.

6 59. Facebook has a “like” feature that allows users to give positive feedback  
7 or connect to particular pages. Facebook users can “like” Facebook posts or updates, as  
8 well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook  
9 users can also become “fans” of particular Facebook pages.

10 60. Facebook has a search function that enables its users to search Facebook  
11 for keywords, usernames, or pages, among other things.

12 61. Each Facebook account has an activity log, which is a list of the user’s  
13 posts and other Facebook activities from the inception of the account to the present. The  
14 activity log includes stories and photos that the user has been tagged in, as well as  
15 connections made through the account, such as “liking” a Facebook page or adding  
16 someone as a friend. The activity log is visible to the user but cannot be viewed by  
17 people who visit the user’s Facebook page.

18 62. Facebook Notes is a blogging feature available to Facebook users, and it  
19 enables users to write and post notes or personal web logs (“blogs”), or to import their  
20 blogs from other services, such as Xanga, LiveJournal, and Blogger.

21 63. The Facebook Gifts feature allows users to send virtual “gifts” to their  
22 friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase,  
23 and a personalized message can be attached to each gift. Facebook users can also send  
24 each other “pokes,” which are free and simply result in a notification to the recipient that  
25 he or she has been “poked” by the sender.

26 64. Facebook also has a Marketplace feature, which allows users to post free  
27 classified ads. Users can post items for sale, housing, jobs, and other items on the  
28 Marketplace.



1        65.        In addition to the applications described above, Facebook also provides  
2 its users with access to thousands of other applications on the Facebook platform. When  
3 a Facebook user accesses or uses one of these applications, an update about that the  
4 user's access or use of that application may appear on the user's profile page.

5        66.        Some Facebook pages are affiliated with groups of users, rather than one  
6 individual user. Membership in the group is monitored and regulated by the  
7 administrator or head of the group, who can invite new members and reject or accept  
8 requests by users to enter. Facebook can identify all users who are currently registered to  
9 a particular group and can identify the administrator and/or creator of the group.  
10 Facebook uses the term "Group Contact Info" to describe the contact information for the  
11 group's creator and/or administrator, as well as a PDF of the current status of the group  
12 profile page.

13        67.        Facebook uses the term "Neoprint" to describe an expanded view of a  
14 given user profile. The "Neoprint" for a given user can include the following information  
15 from the user's profile: profile contact information; News Feed information; status  
16 updates; links to videos, photographs, articles, and other items; Notes; Wall postings;  
17 friend lists, including the friends' Facebook user identification numbers; groups and  
18 networks of which the user is a member, including the groups' Facebook group  
19 identification numbers; future and past event postings; rejected "Friend" requests;  
20 comments; gifts; pokes; tags; and information about the user's access and use of  
21 Facebook applications.

22        68.        Facebook also retains Internet Protocol ("IP") logs for a given user ID or  
23 IP address. These logs may contain information about the actions taken by the user ID or  
24 IP address on Facebook, including information about the type of action, the date and time  
25 of the action, and the user ID and IP address associated with the action. For example, if a  
26 user views a Facebook profile, that user's IP log would reflect the fact that the user  
27 viewed the profile, and would show when and from what IP address the user did so.  
28

69. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

70. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information. I believe such information is likely to help me locate the fugitive described in this affidavit.

#### **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

71. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

72. As indicated in the Motion for Nondisclosure and Motion to Seal that accompany this affidavit, the government requests, pursuant to the preclusion of notice provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this warrant for such period as the Court deems appropriate. The



1 government submits that such an order is justified because notification of the existence of  
2 this Order would seriously jeopardize the ongoing investigation. Such a disclosure would  
3 give the subscriber an opportunity to destroy evidence, change patterns of behavior,  
4 notify confederates, or flee or continue his flight from prosecution.

5 73. It is further respectfully requested that this Court issue an order sealing all  
6 papers submitted in support of this application, including the application and search  
7 warrant until such dates as provided in the proposed Order. I believe that sealing this  
8 document is necessary because the items and information to be seized are relevant to an  
9 ongoing investigation. Premature disclosure of the contents of this affidavit and related  
10 documents may have a significant and negative impact on the continuing investigation  
11 and may severely jeopardize its effectiveness.

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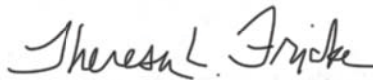
**CONCLUSION**

74. Based on the forgoing, I request that the Court issue the proposed search warrant. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. *See* 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Accordingly, by this Affidavit and Search Warrant, I seek authority for the government to search all of the items specified in Section I, Attachment B (attached hereto and incorporated by reference herein) to the Warrant, and specifically to seize all of the data, documents and records that are identified in Section II to that same Attachment.



\_\_\_\_\_  
Terrance G. Postma  
Special Agent  
Federal Bureau of Investigation

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on this 27th day of March, 2020.



\_\_\_\_\_  
HON. THERESA L. FRICKE  
United States Magistrate Judge



**ATTACHMENT A**

**Property to Be Searched**

1. This warrant applies to information associated with the following telephone numbers (“Subject Accounts”):

- (1) +52-17292852119/+52-7292852119 (Subject Account 1),
- (2) +52-17292826725/+52-7292826725 (Subject Account 2),
- (3) +52-17226532060/+52-7226532060 (Subject Account 3),
- (4) +52-17291527179/+52-7291527179 (Subject Account 4),
- (5) +52-17223157098/+52-7223157098 (Subject Account 5), and
- (6) +52-17224534131/+52-7224534131 (Subject Account 6).

for all such information that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

A. The following information about the customers or subscribers of the Subject Accounts:

- (a) User Neoprint - all user contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers associated with the current profile information, and all wall postings and messages to and from the user.
- (b) All activity logs for the Subject Accounts and all other documents showing the user's posts and other Facebook activities;
- (c) User photoprint and videos - all photos and videos uploaded, "liked", or tagged by the user, along with all photos uploaded by any user which have the user tagged in them, any associated photos or links to photos in their original format, including all original meta-data or "EXIF" information;
- (d) All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend and family lists, including the friend and family Facebook user



1 identification numbers; groups and networks of which the user is a member,  
 2 including the groups' Facebook group identification numbers; future and  
 3 past event postings; rejected "Friend" requests; comments; gifts; pokes;  
 4 tags; and information about the user's access and use of Facebook  
 5 applications;

6 (e) All other records of communications and messages made or received by the  
 7 user, including all private messages, chat history, calling history, and  
 8 pending "Friend" requests;

9 (f) All "check ins" and other location information;

10 (g) I.P. Logs - all IP logs showing log-in and log-off and intraconnection I.P.  
 11 activity including I.P. addresses and date/time stamps for account accesses  
 12 as well as account creation I.P. address, date, and time. Provide source port  
 13 information for each I.P. log-in and log-off event for the Subject Accounts;

14 (h) All records of the Subject Accounts' usage of the "Like" feature, including  
 15 all Facebook posts and all non-Facebook webpages and content that the  
 16 user has "liked";

17 (i) All information about the Facebook pages that each Subject Account is or  
 18 was a "fan" of;

19 (j) User Friends List/Information – provide a full list of all past and present  
 20 friends for the Subject Accounts, including all messages and postings  
 21 between accounts and listed friends;

22 (k) All records of Facebook searches performed by the Subject Accounts;

23 (l) All information about the user's access and use of Facebook Marketplace;

24 (m) The types of service utilized by the user;

25 (n) The length of service (including start date);

26 (o) The means and source of payment for such service (including any credit  
 27 card or bank account number) and billing records;  
 28

- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the Subject Accounts;
- (q) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken;
- (r) Names (including subscriber names, Facebook user IDs, and screen names);
- (s) Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- (t) Local and long distance telephone connection records;
- (u) Push Tokens - any unique identifiers that would assist in identifying the device(s) associated with the Subject Accounts, including push notification tokens associated with the Subject Accounts (including Apple Push Notification (APN), Google Cloud Messaging (GCM), Microsoft Push Notification Service (MPNS), Windows Push Notification Service (WNS), Amazon Device Messaging (ADM), and Baidu Cloud Push, phone numbers, IMEI/ESN, serial numbers, instrument numbers), MAC addresses, IP addresses, email addresses, and subscriber information;
- (v) Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol ("IP" addresses) associated with those sessions along with time, type, machine (including MAC addresses) cookie, city, region, country, device, and browser;
- (w) Facial recognition data;
- (x) Linked accounts;
- (y) Family members associated with the user of each Subject Account;
- (z) Work of the user of each Subject Account;
- (aa) Telephone or instrument numbers or identities (including MAC addresses);



- 1 (bb) Other subscriber numbers or identities (including temporarily assigned
- 2 network addresses and registration IP addresses);
- 3 (cc) User Contact Information – all user contact information input by the user
- 4 including name, birthdate, contact email address(es), other related email
- 5 addresses, address, city, state, zip code, all phone numbers, screen name(s),
- 6 and website information, to include basic subscriber information and
- 7 expanded subscriber information;
- 8 (dd) Group Contact Information – a list of the user’s currently registered groups;
- 9 (ee) Location Information – all information pertaining to location data for the
- 10 Subject Accounts, including but not limited to geo-location data and all
- 11 other geo-tagging or geo-location related information;
- 12 (ff) Device Information – all information pertaining to devices used to upload
- 13 photos, posts, messages, or updates, including but not limited to Apple
- 14 UDID, mobile phone number, mobile device ID numbers, and all other
- 15 information related to the devices;
- 16 (gg) Poke Information – all information pertaining to “pokes” initiated by or
- 17 received by the Subject Accounts;
- 18 (hh) Private Messages – all information pertaining to any and all private
- 19 messages to include content, call logs, and location information for the
- 20 Subject Accounts;
- 21 (ii) Facebook Messenger – all information pertaining to any and all incoming
- 22 and outgoing Facebook messenger text strings and conversations for the
- 23 Subject Accounts; and
- 24 (jj) All other account information including: any “about you” information, ads,
- 25 apps and websites, calls and messages, comments, events, following and
- 26 followers, friends, groups, likes and reactions, location history,
- 27 marketplace, messages, other activity, pages, payment history, photos and
- 28

1 videos, posts, profile information, saved items, search history, security and  
 2 login information, and “your places” information.

3 B. All records and other information (not including the contents of communications)  
 4 relating to the Subject Accounts, including:

- 5 (a) Records of user activity for each connection activity for each connection  
 6 made to or from the Subject Accounts, including log files; messaging logs;  
 7 the date, time, length, and method of connections; data transfer volume;  
 8 user names; and source and destination of Internet Protocol addresses;
- 9 (b) Information about each communication sent or received by the Subject  
 10 Accounts, including the date and time of the communication, the method of  
 11 the communication (such as source and destination email addresses, IP  
 12 addresses, and telephone numbers); and
- 13 (c) Records of any Facebook accounts that are linked to the Subject Accounts  
 14 by machine cookies (meaning all Facebook user IDs that logged into  
 15 Facebook by the same machine or device as each Subject Account).

## 16 **II. Information to be seized by the government**

17 All information described above in Section I that relates to the ongoing fugitive  
 18 investigation involving Santiago Mederos, including, for each user ID identified on  
 19 Attachment A, information pertaining to the following matters:

- 20 (a) Any content including e-mails, messages, texts, photographs (including  
 21 metadata), videos (including metadata), visual images, documents,  
 22 spreadsheets, address lists, contact lists or communications of any type  
 23 which could be used to identify the user and or their location.
- 24 (b) Records relating to who created, used, or communicated with the user ID,  
 25 including records about their identities and whereabouts.
- 26 (c) All subscriber records associated with the Subject Accounts, including  
 27 name, address, local and long distance telephone connection records, or  
 28 records of session times and durations, length of service (including start

1           date) and types of service utilized, telephone or instrument number or other  
2           subscriber number or identity, including any temporarily assigned network  
3           address, and means and source of payment for such service including any  
4           credit card or bank account number.

5           (d) Any and all other log records, including IP address captures, associated  
6           with the Subject Accounts;

7           (e) Any records of communications between Facebook and any person about  
8           issues relating to the account, such as technical problems, billing inquiries,  
9           or complaints from other users about any of the Subject Accounts. This is  
10          to include records of contacts between the subscriber and the provider's  
11          support services, as well as records of any actions taken by the provider or  
12          subscriber as a result of the communications.



**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS  
RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, \_\_\_\_\_, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Facebook, and my official title is \_\_\_\_\_. I am a custodian of records for Facebook. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Facebook, and that I am the custodian of the attached records consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business activity of Facebook; and
- c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature